



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701

FOR INFORMATION CONTACT:

Cynthia Meyer or Cynthia.Meyer@noaa.gov
727-824-5305, FAX 727-824-5308

March 18, 2009
FB09-020

December 31, 2008, Control Date Established for the Gulf of Mexico Commercial Reef Fish Fishery

At the January 2009 meeting, the Gulf of Mexico Fishery Management Council (Council) voted to establish a control date for all Gulf of Mexico commercial reef fish vessel permits. The control date will allow the Council to evaluate fishery participation and address any level of overcapacity.

On March 18, 2009, NOAA Fisheries Service published an advanced notice of proposed rulemaking establishing a control date of December 31, 2008, for the commercial reef fish fishery operating in federal waters of the Gulf of Mexico.

A control date is a date chosen by a fishery management council that may be used as an eligibility criterion allowing future access to fisheries, or sectors of fisheries. Control date notices let fishermen know that a fishery management council is considering future action to restrict access to the fishery and are intended to discourage speculative entry into a fishery.

The establishment of this control date does not commit the Council or NOAA Fisheries Service to any particular management regime or criteria for entry into this fishery. Fishermen would not be guaranteed future participation in the fishery regardless of their entry date or intensity of participation in the fishery before or after the control date under consideration.

The Council may choose to use a different control date, or to give variably weighted consideration to fishermen active in the fishery before and after the control date. Other qualifying criteria, such as documentation of landings and sales, may be considered for entry into the fishery. The Council may choose to take no further action to control entry or access to the fishery, in which case the control date may be rescinded.

Request for Comments

Written comments on this advanced notice of proposed rulemaking must be received no later than 5 p.m.,

Eastern time, on April 17, 2009, in order to be considered by NOAA Fisheries Service. See the **Addresses** section for information on where and how to submit comments.

Addresses

Electronic copies of the advanced notice of proposed rulemaking, published in the *Federal Register* on March 18, 2009, may be obtained from the *Federal Register* Web site at <http://www.gpoaccess.gov/fr/index.html>, or by sending a written request to:

NOAA Fisheries Service
Southeast Regional Office
Sustainable Fisheries Division
263 13th Avenue South
St. Petersburg, Florida 33701

You may submit comments, identified by RIN 0648-AX66, by any one of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>
- Mail: Cynthia Meyer, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, Florida 33701

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. To submit comments through the Federal e-Rulemaking Portal: <http://www.regulations.gov>, enter "NOAA-NMFS-2009-0039" in the keyword search, then select "Send a Comment or Submission." NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.